

### **R E M A R K S**

Reconsideration of this application, as amended, is respectfully requested.

### **THE CLAIMS**

Claims 6, 10-13, 21, 25-28, 36 and 40-43 have been canceled, without prejudice, and claims 5, 7-9, 20, 22-24, 35 and 37-39 have been amended.

More specifically, independent claims 5, 20 and 35 have been amended to incorporate the subject matter of now canceled (former dependent) claims 6, 21 and 36, respectively, and claims 7-9, 22-24 and 37-39 have been amended to depend from amended independent claims 5, 20 and 35, respectively.

Since the amendments to the claims involve only combining previously presented claims, it is respectfully submitted that no new issues have been raised which require further consideration on the merits and/or a new search. Accordingly, it is respectfully requested that the amendments to the claims be approved and entered under 37 CFR 1.116.

### **THE PRIOR ART REJECTION**

Claims 5-7, 8-9, 20-22, 23-24, 35-37 and 38-30 were all rejected under 35 USC 103 as being unpatentable over various combinations of newly cited US 2003/0091347 ("Goto et al") in

view of previously cited USP 6,297,873 ("Furuya"), USP 6,624,876 ("Fukuda et al"), and USP 6,616,262 ("Nakajima et al"). These rejections, however, are respectfully traversed with respect to the claims as amended hereinabove.

According to the present invention as recited in amended independent claims 5, 20 and 35, result data obtained by exposing and measuring a density of a part of the image forming material at a time of forming a diagnosis image is stored, as described in the specification at page 37, line 12 to page 38, line 7 and as shown in Fig. 8 of the present application. As recited in amended independent claims 5, 20 and 35, moreover, at least one of the exposing device and the developing device is controlled so as to offset a characteristic change of at least one of the exposing device and the developing device, a characteristic change of the image forming material is calculated and kept based on the stored result data, and at least one of the exposing device and the developing device is controlled based on the calculated characteristic change of the image forming material instead of the stored passage-time film characteristic model data so as to offset the characteristic change of the image forming material.

By using part of the image forming material, data to be used for controlling at least one of the exposing device and the developing device can be frequently obtained, so as to offset the

characteristic change of the image forming material. And since the data can be frequently obtained from each sheet of diagnostic recorded material of the image forming material, the acquired tendency of the characteristic change of the image forming material can be more precise.

Furuya discloses a function of obtaining an estimated calibration with calculation by using a result of an actual calibration. It is respectfully pointed out, however, that the calibration in Furuya is carried out only with a print of a calibration test pattern (not including use of a part of each image forming material on which a diagnostic image is recorded) and the calibration is not carried out frequently. See column 10, lines 57-67 of Furuya.

The present invention as recited in new independent claims 5, 20 and 35, therefore, clearly patentably distinguishes over the teachings of Furuya.

In addition, it is respectfully pointed out that in Goto et al, for example, a calibration method for density correction by using a test pattern is described in paragraphs [159] - [165] and in Fig. 25. However, it is respectfully submitted that neither Goto et al nor any of the other cited references discloses, teaches or suggests a method of calibration using a part of image forming material exposed at a time of forming diagnosis image, as

according to the present invention as recited in amended independent claims 5, 20 and 35.

Accordingly, it is respectfully submitted that amended independent claims 5, 20 and 35, along with claims 7-9, 22-24 and 37-39 depending therefrom, patentably distinguish over the cited references, taken singly or in any combination, under 35 USC 103, along with allowed claims 1-4, 14-19, 29-34 and 44-57.

In view of the foregoing, it is respectfully submitted that all of the claims are now in condition for immediate allowance.

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Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

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